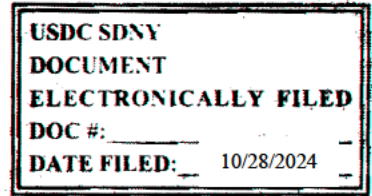


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



-----X  
**DARRYL JOHNSON,**

**Petitioner,**

**22-CV-10754 (JLR)(SN)**

**-against-**

**ORDER**

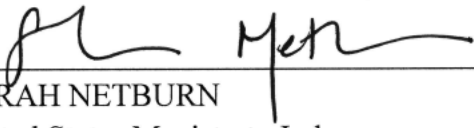
**M. CAPRA,**

**Respondent.**

-----X  
**SARAH NETBURN, United States Magistrate Judge:**

On September 21, 2023, the Court directed Petitioner to file a letter within 30 days of a final decision on his motion to vacate the state court judgment, pursuant to C.P.L. § 440.10. ECF No. 30. The Court further granted Petitioner leave pursuant to Federal Rule of Civil Procedure 15(a) to amend his petition to include additional claims if those claims were rejected by the state court. Id. On December 20, 2023, Petitioner filed a letter with the Court indicating that he had filed a C.P.L. § 440.10 motion to vacate the state court judgment. ECF No. 31. Receiving no other letters as of October 28, 2024, the Court now directs the parties to file a letter updating the Court on the status of this motion by November 12, 2024.

**SO ORDERED.**

  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED:      October 28, 2024  
                 New York, New York